

DEPARTMENT OF THE PROSECUTING ATTORNEY 207

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IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

TARYN CHRISTIAN,

Plaintiff,

VS.

RICHARD BISSEN, Acting
Director, STATE OF HAWAII,
DEPARTMENT OF PUBLIC SAFETY,

Respondents.

CIV. NO. 04-00743 DAE-LEK

**NOTICE AND STATEMENT OF
APPEAL; APPENDICES "A"
AND "B"; CERTIFICATE OF
SERVICE**

NOTICE AND STATEMENT OF APPEAL


COME NOW, JAMES PROPOTNICK, Acting Director, Department of Public Safety, State of Hawaii, (hereinafter "Respondents"), by and through their attorney, PETER A. HANANO, Deputy Prosecuting Attorney for the County of Maui, hereby gives notice pursuant to 28 U.S.C. § 636(b)(1)(A) and LR74.1 of the

Local Rules of Practice for the United States District Court for the District of Hawai'i, the Respondents appeals to the United States District Court for the District of Hawaii from the Honorable Magistrate Judge Leslie E. Kobayashi's (hereinafter "Magistrate") June 14, 2006 Order Granting Motion For Leave to Conduct Discovery (a true and correct copy attached hereto as Appendix "A"); and 2) the Magistrate's September 11, 2006 Order Denying Respondents' Motion to Reconsider Court's June 14, 1006 Order Granting Motion For Leave to Conduct Discovery (a true and correct copy attached hereto as Appendix "B").

Furthermore, pursuant to the Magistrate's Minutes dated June 30, 2006, the above-described discovery orders will be stayed pending the outcome of an appeal by either party.

DATED: Wailuku, Hawaii, September 22, 2006.

Respectfully submitted,
DEPARTMENT OF THE PROSECUTING ATTORNEY
DAVELYNN M. TENGAN,
PROSECUTING ATTORNEY

By 
PETER A. HANANO
Deputy Prosecuting Attorney
County of Maui
Attorney for Respondents